

### **REMARKS**

Claims 14 to 18 and 26 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claim 26 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claim 26 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claim 26 was rejected under 35 U.S.C. §112, first paragraph, as based on a disclosure which is not enabling. Claims 14 to 18 and 26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 26 was rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between steps.

To simplify prosecution claim 26 has been canceled. Claim 14 has been amended to correct a minor antecedent basis issue.

Reconsideration of the application based on the following remarks is respectfully requested.

### **35 U.S.C. §112 Rejections**

Claims 14 to 18 and 26 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

With respect to claim 26, this claim has been canceled to simplify prosecution. With respect to claim 14, it is respectfully submitted that the claimed control rods 10 actually do fall at the same speed, as they are all part of the same control cluster 4, as claimed. As shown for example in Fig. 1 and as understood to one of skill in the art, a control cluster which comprises a plurality of control rods and a support 11 for the control rods would fall at a same speed, as the parts are all connected. See for example Fig. 1 and substitute specification at page 7, lines 30 to 31 ("The rods 10 [of the control cluster 4] are carried at the upper ends thereof by a support 11 which is generally referred to as a spider."). See also for example US 5,889,832. Thus, in the event of a shutdown, the entire control cluster will fall at a same speed, and will move together, as claimed.

It is respectfully submitted that this clarifies the objections, which are based on an understanding of the rods moving at different speeds, and withdrawal of the rejections to claims 14 to 18 under 35 U.S.C. §112, first paragraph, is respectfully requested.

Claims 14 to 18 and 26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the event of a shutdown, the assembly 4 falls due to gravity (see substitute specification at page 9, lines 27 to 28), and the expected falling speed of the entire cluster in the event of a shutdown thus can be calculated, as described at page 9, line 30 et seq. It is respectfully submitted that especially in view of the cluster and rods being connected as described above, that the term expected falling speed is clear and definite.

Withdrawal of the rejections to claims 14 to 18 under 35 U.S.C. §112, second paragraph, is respectfully requested.

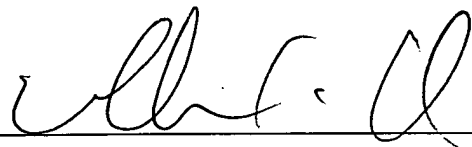
**CONCLUSION**

It is respectfully submitted that the application is in condition for allowance and applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

William C. Gehris (Reg. No. 38,156)

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940